

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHRISTOPHER MATHIESON,

Plaintiff,

against

JOHN C. DENIRO,

Defendant.

Docket No. 07 CIV 8527 (LAK/KNF)

**SECOND AMENDED CONSENT SCHEDULING ORDER**

Upon consent of the parties and for good cause shown, it is hereby

ORDERED as follows:

1. All discovery is temporarily stayed pending the parties' receipt of an appraisal report from Joan Lipton of Lazar, Lipton Valuation Services which shall be completed on or before April 11, 2008. Discovery shall resume on that date.
2. Plaintiff's responses to previously served written discovery requests shall be served on or before April 25, 2008. Defendant's responses to previously served written discovery requests shall be served on or before May 9, 2008.
3. The parties shall make required Rule 26(a)(2) disclosures with respect to:
  - (a) expert witnesses on or before May 30, 2008;
  - (b) rebuttal expert witnesses on or before June 20, 2008.
4. All discovery, including any depositions of experts, shall be completed on or before July 11, 2008.
5. A joint pretrial order in the form prescribed in Judge Kaplan's individual rules shall be filed on or before July 25, 2008.
6. No motion for summary judgment shall be served after the deadline fixed for submission of the pretrial order. The filing of a motion for summary judgment does not relieve the parties of the obligation to file the pretrial order on time.

7. If any party claims a right to trial by jury, proposed voir dire questions and jury instructions shall be filed with the joint pretrial order.
8. Each party or group of parties aligned in interest shall submit not less than ten (10) days prior to trial (a) a trial brief setting forth a summary of its contentions and dealing with any legal and evidentiary problems anticipated at trial, and (b) any motions in limine.
9. This scheduling order may be altered or amended only on a showing of good cause not foreseeable at the date hereof. Counsel should not assume that extensions will be granted as a matter of routine.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Lewis A. Kaplan  
United States District Judge

CONSENTED TO:

CARELLA, BYRNE, BAIN, GILFILLAN,  
CECCHI, STEWART & OLSTEIN  
Attorneys for Plaintiff

ROBERT S. FRANKLIN, P.A.  
Attorney for Defendant

By: \_\_\_\_\_  
Lindsey H. Taylor

By: \_\_\_\_\_  
Robert S. Franklin